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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

E-FILED - 6/6/07

11 UNITED STATES OF AMERICA,) No. CR 07-00189 RMW
12)
Plaintiff,) **STIPULATION TO CONTINUE**
13) **HEARING AND EXCLUDE TIME;**
v.) **[] ORDER**
14)
GREGORIO BAUTISTA MUNOZ,)
15)
Defendant.)
16 _____)

17 Defendant and the government, through their respective counsel, hereby stipulate that,
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for
19 Monday, May 21, 2007, be continued to Monday, June 11, 2007, at 9:00 a.m.

20 The continuance is requested because the defense has requested additional discovery that
21 the government has agreed to provide, specifically, a tape recording of the defendant's
22 deportation hearing.

23 The parties further agree that time should be excluded under the Speedy Trial Act because
24 the defense requires time for effective preparation and investigation, and the ends of justice
25 outweigh the defendant's and the public's need for a speedy trial.
26

1 Dated: 5/16/07

/s/
LARA S. VINNARD
Assistant Federal Public Defender

3 Dated: 5/17/07

/s/
BENJAMIN KENNEDY
Assistant United States Attorney

5
6 **ORDER**

7 The parties have jointly requested a continuance of the hearing set for May 21, 2007, to
8 allow time for the government to provide additional discovery.

9 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
10 presently set for May 21, 2007, be continued to June 11, 2007, at 9:00 a.m.

11 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
12 from May 21, 2007, to June 11, 2007, shall be excluded from the period of time within which
13 trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

14 Dated: 6/6/07


RONALD M. WHYTE
United States District Judge